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ABSTRACT

This report is the second in a series that focuses on the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It reports on a study of the effects of the Clery Act on law enforcement on college and university campuses, how institutions are distributing the mandatory reports on campus crime, and whether the Act has had any impact on reducing campus crime. Researchers surveyed 944 senior campus law enforcement officials at institutions covered by the Clery Act. Responses were received from 371 officials, 83% of whom were chiefs of campus police/security. A majority (57%) thought the Act has been effective or very effective in improving the quality of campus crime reporting procedures, and a similar margin credited the Act with improving the quality of campus safety programs. Institutions distributed the Clery mandated reports in a variety of ways, with Internet Web sites and campus mail the most often used methods for campus students and employees, and U.S. mail for commuter students. Seventy percent of respondents reported that campus crime rates have remained relatively constant since the passage of the Clery Act, and 90% of respondents said the Act had no impact on campus crime. However, 53% of respondents believed that providing the campus programs encouraged by the Act increased the confidence students have in their campus police forces. (Contains 4 tables and 16 references.) (SLD)

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The Clery Act and the Views of Campus Law Enforcement Officers

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PREFACE

This report is the twelfth in a series of policy papers issued by the Educational Policy Institute (EPI) of Virginia Tech. The Institute is an interdisciplinary group of faculty with common interests in education in the Commonwealth of Virginia. The mission of EPI is to: (a) establish an organization devoted to educational policy research and services in the Commonwealth of Virginia and the nation, (b) conduct research intended to inform educational policy makers, (c) focus research interests of the faculty and graduate students on educational policy issues, and (d) act as a service unit for educational policy groups such as the State Board of Education and the State Council of Higher Education for Virginia.

This report is the second of our reports that focuses on the on the implications of an important piece of federal legislation. While administrators and policy-makers continue to debate the intent and implementation requirements of the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, Steve Janosik and Dennis Gregory have examined the Act's effect on campus law enforcement practices. Drs. Gregory and Janosik have national reputations as legal scholars. This paper represents a continuation of their work on a very important statute that affects most colleges and universities in this country.

Finally, I want to recognize the International Association of Campus Law Enforcement Administrators (IACLEA) and our own Institute, the Educational Policy Institute of Virginia Tech (EPI) for their financial support of this project.

Additional copies of this report may be obtained by contacting Dr. Steven M. Janosik at the Institute or they can be downloaded from EPI's web site. I hope you find the information to be of interest. URL: http://filebox.vt.edu/chre/elps/EPI.

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This research was funded in part by grants and in-kind contributions from the International Association of Campus Law Enforcement Administrators (IACLEA) and the Educational Policy Institute of Virginia Tech (EPI).

The Clery Act and Its Influence on Campus Law Enforcement Practices

The Student Right-to-Know and Campus Security Act (Public Law 101–542) was passed in 1990. Title II of this Act is known as the Crime Awareness and Campus Security Act of 1990. Since then, it has been amended several times (National Center of Educational Statistics, 1997). The most recent version of this law was passed as part of the *Higher Education Amendments Act of 1998* (Public Law 105-244). Its official title under this Act is the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C.§ 1092 (f) (2000).* This legislation grew out of a tragic incident at Lehigh University involving the rape and murder of Jeanne Clery, a young woman living in university housing. Since their daughter's death, the Clery family has worked tirelessly to force colleges and universities to be more forthcoming about the criminal activity on their campuses. The major purposes of the Act are to: (a) impose a standard method by which colleges and universities report campus crime for colleges and universities, (b) force the sharing of this information so that parents, students, employees, and applicant groups can make better decisions, and (c) reduce criminal activity on college campuses (Daniel Carter, personal communications; Griffaton, 1993).

Because of the disagreement over the effectiveness of such legislation, its impact on higher education and the Department of Education, national perceptions that institutions of higher education were hiding crime on their campuses to protect their images, and efforts by the media to portray institutional authorities as unconcerned about campus safety, there has been a great deal of commentary about the law. Despite this commentary, however, until relatively recently there has been little research about the effectiveness of the Clery Act and other campus safety programs and initiatives.

Several researchers have examined the influences of this Act on campus admission procedures (Gehring & Callaway, 1997), student behavior (Janosik, 2001; Janosik & Gehring, 2002), and student college choice decision-making (Parkinson, 2001). Gerhing and Gallaway (1997) found that college administrators were still unsure about compliance issues. Janosik and his colleagues (2001, 2002) found that the great majority of students remain unaware of the Act, do not read the mandated reports, and do not use crime information in their personal decision-making.

To date, the influence of the Clery Act on campus law enforcement practices and the perceptions of campus law enforcement administrators regarding its effectiveness have not been reported. The purpose of this research project was to fill that research gap. The following questions guided this research:

1. How has the Act changed the nature of law enforcement on college and university campuses?

2. How are institutions distributing mandated reports to their constituents?

3. Has the Act had any impact on reducing campus crime?

4. Do campus law enforcement officials perceive that the Act has influenced student behavior?

5. Are college administrators hiding reported incidents of campus crime?

Method

Participants

The researchers surveyed 944 senior campus law enforcement officials who were members of the International Association of Campus Law Enforcement Administrators (IACLEA) and whose institutions were covered by the Clery Act. This group of professionals was selected because IACLEA serves as the professional association for the campus law enforcement profession and represents many of the institutions that are affected by the Clery Act.

Procedures

The researchers sought and received the endorsement of IACLEA for this research project. Staff in its central office mailed a cover letter written by the Association's past president and the questionnaire to members identified as the IACLEA institutional member at each of 944 institutions. Respondents were asked to complete the questionnaire and return it to the researchers by way of a pre-stamped return envelope.

After 10 days, a reminder was sent to all participants by email. A copy of the questionnaire was sent as an attachment. Those who had not responded were given the opportunity to respond by completing the questionnaire electronically. Researchers checked the responses carefully to ensure that duplicate responses were eliminated. A second reminder was sent an additional 10 days after the first reminder. No additional follow-up was made.

Instrument

A questionnaire designed by the researchers was used to collect information that addressed the research questions posed earlier in this article. Thirty-seven items addressed law enforcement practices affected by the Act. Respondents were also asked to indicate the perceived effectiveness of these practices. Ten items requested a variety of demographic data from the respondents. Many of the questions contained in this questionnaire were adapted from the work done by Janosik (2001). The reliability of a similar instrument using a student sample of 3,150 respondents was .76 using the Cronbach Alpha model.

To address content validity, a panel of student affairs and campus law enforcement officers chosen by the researchers was asked to review the items contained in the questionnaire for clarity and purpose. Three items were reworded to improve syntax.

Four compound items were split into eight separate items and additional response options were added to four questions.

Results

A total of 371 IACLEA members returned questionnaires, a response rate of 39%. The reliability for the 37-item questionnaire was .78 when the Cronbach Alpha model was used. Interpreting the results that follow was hampered due to the low response rate and the inability of the researchers to check for response bias among the non-responders.

Demographic Characteristics of the Respondents

The respondent group consisted of 83% chiefs of campus police/security, and 17% responses came from other senior officers. Of the total, 96% were IACLEA members and 74% indicated that they were sworn law enforcement officers in their respective localities. Just over 62% represented public institutions. The remaining 38% were employed at private institutions. Forty-two percent worked at colleges or universities with fewer than 5,000 students, while 58% represented institutions with more than that number.

Finally, the group was almost evenly divided with respect to locale. Forty-nine percent described their campus location as a city or metropolitan area. The remaining 51% identified the location of their institutions as towns or rural areas. All respondents were aware of the Act and all respondents were involved in developing or assisting with the development of the institution's annual crime statistics reports.

How has the Act Changed the Nature of Campus Law Enforcement on College and University Campuses?

A majority (57%) of those responding to the questionnaire indicated that the Clery Act had been effective or very effective in improving the quality of campus crime reporting procedures. Forty-three percent of respondents indicated that the Act has served as a stimulus for improving campus law enforcement policies and procedures. A similar margin credited the Act as being effective or very effective in improving the *quality* of campus safety programs. A lower percentage of respondents (37%) credited the Act with being effective or very effective in increasing the *number* of campus safety programs. These data are reported in Table 1.

When groups of respondents were examined, campus law enforcement officers at private institutions were much more likely to report that Clery had served as a positive stimulus for improving law enforcement procedures than their public institution counterparts ($\chi^2 = 4.57$, df = 1, p = .032). In addition, respondents who were sworn law enforcement officers were more likely to report that the Clery Act had been effective in improving the quality of campus safety programs than their non-sworn colleagues ($\chi^2 = 8.90$, df = 1, p = .030).

Table 1
Clery and the Nature of Campus of Campus Law Enforcement

Item	Response	Number (%)
1. Has the Act served as a stimulus for improving the quality of campus law enforcement policies?		
	Yes	167 (45)
	No	204 (55)
2. Has the Act served as a stimulus for improving the quality of campus law enforcement procedures?		
	Yes	160 (43)
	No	211 (57)
3. Has the Act been effective in improving the quality of reporting procedures?		
	Effective or Very Effective	211 (57)
	Ineffective or Very Ineffective	160 (43)
4. Has the Act been effective in improving the quality of campus safety programs?		
	Effective or Very Effective	163 (44)
	Ineffective or Very Ineffective	208 (56)
5. Has the Act been effective in increasing the number of campus safety programs?		
	Effective or Very Effective	137 (37)
	Ineffective or Very Ineffective	270 (73)

How are institutions distributing the reports mandated by the Clery Act to their constituents?

Institutions distribute the Clery mandated reports through a variety of means. Administrators reported most often that they use multiple means (1) for such distribution: Internet web sites (2), followed by campus mail (3) were the most often used single methods used when distributing to on-campus students and employees. U.S. mail replaced campus mail as the third most common individual distribution strategy when commuter students are contacted. Multiple strategies, followed by internet web sites and U.S. mail are used most frequently when contacting prospective students and employees who are not yet part of the academic community with mandated campus crime reports (see Table 2).

Table 2
Clery and the Distribution of Mandated Reports

Item	Response	Number (%)
6. What is the primary method by which you distribute annual crime reports to on-campus students?		
	Campus mail	70 (19)
	U.S. mail	34 (9)
	Internet Web site	112 (30)
	Electronic email	14 (4)
	More than one means	141 (38)
7. What is the primary method by which you distribute annual crime reports to computer campus students?		
	Campus mail	37 (10)
	U.S. mail	63 (17)
	Internet web site	115 (31)
	Electronic email	15 (4)
	More than one means	141 (38)
8. What is the primary method by which you distribute annual crime reports to employees?		
	Campus mail	104 (28)
	U.S. mail	18 (4)
	Internet web site	109 (29)
	Electronic email	18 (4)
	More than one means	122 (33)
9. What is the primary method by which you distribute annual crime reports to applicants for admission?		
	Campus mail	11 (3)
	U.S. mail	100 (27)
	Internet web site	93 (25)
	Electronic email	0 (0)
	More than one means	167 (45)

Table 2 con't
Clery and the Distribution of Mandated Reports

Item	Response	Number (%)
10. What is the primary method by which you distribute annual crime reports to applicants for employment?		
	Campus mail	11 (3)
	U.S. mail	100 (27)
	Internet web site	100 (27)
	Electronic email	0 (0)
	More than one means	160 (43)
11. If you post data electronically, are constituents notified by written notice that campus crime data are available in that form?		
	Yes	289 (78)
	No	82 (22)
12. Does your department keep daily crime logs?		
	Yes	371 (100)
	No	0 (0)
13. Is the log available to the public?		
	Yes	371 (100)
	No	0 (0)
14. Do you make crime reports that would NOT effect pending investigations available to the public?		
	Yes	326 (88)
	No	45 (12)

Respondents from private institutions were much more likely to distribute annual crime reports to their on campus students by campus mail. In contrast, respondents from public institutions were much more likely to use electronic means to distribute this information ($\chi^2 = 12.24$, df = 4, p = .015).

When those who post crime statistics through electronic posting were asked if they provided written notification that these data were available in that form and where they can be found, 78% responded that they did.

All of the respondents indicated that their departments maintained daily campus crime logs and made them available to the public. Such crime logs report simple facts about the incident. Only 88% of this group reported that they would make crime reports that would not effect a pending investigation available to the public, however. These crime reports contain more descriptive information about the event.

Has the Act had any impact on reducing campus crime?

Seventy percent of respondents reported that campus crime rates have remained relatively constant since the passage of the Clery Act. Fifteen percent of campus law enforcement officers indicated that campus crime had increased, and 15% reported that campus crime had decreased. Respondents at institutions in cities or large metropolitan areas were more likely to report decreases in campus crime rates ($\chi^2 = 13.16$, df = 1, p = .001). When asked if the Clery Act and its requirements could be credited with any change in the crime rates, 90% of the respondents said this Act had no impact on campus crime. These data are reported in Table 3.

Do campus law enforcement officials perceive that the Act has influenced student behavior?

When campus law enforcement officers were asked if the information contained in the mandated annual crime reports helped to change how students protected their property, 10% responded affirmatively. Twenty-four percent indicated that the distribution of the mandated reports led to an increase in student confidence in the department. On the other hand, when asked if other campus produced crime related information, programs, and services had changed the way students went about protecting their property, 36 percent of respondents thought they had. In addition, roughly 30 percent thought these materials helped change the way students moved around their respective campuses (see table 4).

Perhaps, most importantly, 53% of the respondents believed that providing campus programs encouraged by the Act increased the confidence students have in their respective campus police forces, and 34% believed that the Act has been effective or very effective in increasing the likelihood that students will report criminal activity. Respondents from private institutions were much more likely than their public institution counterparts to report a perceived increase in confidence in campus police as a result of the activities and programs connected with the Clery Act ($\chi^2 = 6.35$, df = 1, p = .042).

Are college administrators hiding reported incidents of campus crime?

Campus law enforcement officers were also asked if they believed that college administrators were hiding incidents of campus crime. Respondents answered by more than a nine to one margin (91.5%) that no such activities were occurring on their

Table 3
Clery and Campus Crime Rates

Item	Response	Number (%)
15. Since the passage of the Act, has the campus crime rate changed?		
	Increased	56 (15)
	Remained the Same	259 (70)
	Decreased	56 (15)
16. Can any change in the crime rate on your campus be credited to the Act and it requirements?		
	Yes	37 (10)
	No	334 (90)

campuses. Of the 9.5 percent of the respondents who indicated that crime was being hidden, those mentioned most often as hiding information on their campuses were: the chief student affairs officers (4.6%), others (2.0%), and judicial officers (1.2%).

Discussion

The Clery Act does appear to have some perceived impact on campus law enforcement agencies. More than 43 percent of the campus law enforcement officers responding to the questionnaire indicated that the Act served as a stimulus for improving law enforcement policies and procedures. Perhaps federal funding to support improvements and recognition of those institutions that have high quality programs would increase the salutary impact on the achievement of this goal for the Act.

Fifty-seven percent of the respondents indicated that the Act had been effective or very effective in improving the quality of their respective crime reporting procedures. The number of positive responses to this question shows that at least in this area, the Act is effective according to a majority of the campus law enforcement respondents. Thus, in at least one area that is among the primary purposes of the Act, it has proven effective.

It was interesting to note that a percentages of campus law enforcement officers thought that the Act had been effective in increasing the number of campus safety programs conducted in any given year or the quality of those programs. Several respondents commented, in an open-ended response, that they had been conducting many of these programs before 1990. Although there is some positive news here, it is disconcerting that large numbers of law enforcement officials believe that Clery has been ineffective in achieving many of its central purposes.

Table 4
Clery and Changes in Student Behavior

Item	Response	Number (%)
17. Have students changed how they protect their property based on the information contained in the mandated reports?		
	Yes	37 (10)
	No	274 (90)
18. Have the distribution of the mandated reports by your department increased student confidence in the campus police?		
	Yes	89 (24)
	No	282 (76)
19. Have students changed how they protect their property based on the campus safety programs and campus crime information you provide?		
	Yes	134 (36)
	No	237 (64)
20. Have students changed the way they move around the campus based on the campus safety programs and campus crime information you provide?		
	Yes	111 (30)
	No	260 (70)
21. Have the campus programs delivered by your department increased student confidence in the campus police?		
	Yes	200 (54)
	No	171 (46)
22. Have the campus programs and services delivered by your department been effective in increasing the likelihood that crimes will be reported?		
	Effective or Very Effective	126 (34)
	Ineffective or Very Ineffective	245 (66)

It appears that colleges and universities are using a variety of means to distribute the mandated reports required by the Act. Public universities seem to be taking more advantage of technology in their distribution strategy.

Of serious concern, however, is the finding that 22% of respondents reported that their institutions do *not* notify constituent groups in writing that their crime data are available on the web, nor do they tell them how to find these data. If institutions use the web exclusively and do not provide such notification, institutions would be out of compliance with the Act (see Campus Crime Act, 34 CFR 668.46). Similarly, 12% of respondents do *not* make public upon request, crime reports when the release would *not* affect pending investigations. This too, violates provisions of the Act (see Campus Crime Act, 34 CFR 668.46). While our research did not allow us to determine if these omissions resulted from a misunderstanding of the law or something more deliberate, in either case, it appears that some room for improvement among some campus law enforcement departments exists. The failure to properly instruct students, parents, and employees in how to find web based crime statistics, as well as withholding crime report information that is not sensitive could result in fines and other penalties to the offending institution. More needs to be done by the U.S. Department of Education, IACLEA, and others to ensure that all campus police authorities are familiar with the requirements of the laws.

Other research shows that students are not aware of the Act and they do not read the annual reports mandated by the Act. About 30% do pay attention to campus crime related materials such as newspaper articles, posters, and flyers (Janosik, 2001; Janosik & Gehring, 2001). Further, while some students report that this information has changed how they protect their property, themselves, and how they move around their campuses; large majorities of law enforcement officers in this study indicated that the annual campus crime reports were not effective in changing student behavior. Larger numbers of respondents agreed that campus safety programs and educational campaigns were more effective than mandated reports meant to be read by students but even here the numbers remain small. This lack of attention given by students to campus crime information may contribute to the lack of progress on reducing campus crime that most institutions reported.

Campus law enforcement officials confirm that the Act and its provisions are not connected with any noticeable decrease in campus crime. Eighty-five percent of respondents reported no change in crime on their respective campuses due to the passage of the Clery Act. Ninety percent of respondents believe that Clery Act has had no impact on their crime rates at all. Reduction in campus crime is one of the Clery Act's primary purposes according to Daniel Carter, Vice President of Security on Campus (Personnel Communication, 2001). From the results of this study, it would appear that the Act has been ineffective here as well.

Finally, the law enforcement officers in this study do not believe that many college officials attempt to hide crime. This finding runs counter to claims made by the media and campus safety watchdog groups (Security on Campus, 2002, Burd, 1999, Logan, 2001). Whether this is a result of the Act or whether this was ever a widespread

phenomenon at all is certainly open to question. It might well be that the changing level of liability to campuses for allowing campus crime to be hidden is more likely to be the agent of change if, in fact, a change has occurred.

Conclusion

According to the findings of this study, the achievements and effectiveness of the Clery Act are mixed at best. It is clear that the Act has had minor positive effects on some campus law enforcement practices. A majority credits the Act with improving campus crime reporting. Some law enforcement officers credit the Act with improving the quality of programs and services. Most do not think the Act has done very much to decrease campus crime or to change student behavior.

Today, most of the policy debate regarding the Clery Act continues to revolve around what categories of criminal activity need to be reported, which school properties and geographically close areas are subject to statistical coverage, and which academic and co-curricular programs are or should be covered by this federal statute (Hartle, 2001; Janosik, 2001; Nicklin, 1999; & Woodhams, 1999). The findings of this research suggest that crime reporting has improved but this reporting, in and of itself, has been woefully ineffective. If the Act's purpose is to educate, change behavior, and protect college students, policy makers and college administrators would be better served by focusing their attention on the development of those services and programs that seem to make some difference. For instance, increased educational programs could be offered that would show students how to protect themselves and their property. Publicity campaigns focused on safety could be included in campus newspapers. Institutional presidents could address issues of campus safety in their fall convocations and invite nationally known speakers to lecture on the need for campus safety. These are not new ideas but ones that deserve greater emphasis.

In addition, it would be helpful to create better support structures for institutions that may still be struggling to comply with the frequently changing requirements of the Act. National associations could be of help. The American Council on Education (ACE) could send out public policy notices on a regular basis to announce changes to the regulations. The National Association of College and University Attorneys (NACUA) could send out similar notices to their members and presidents. The Department of Education could provide funding support for those institutions that need external consultants to assist them with compliance and sponsor regional workshops to assist campus authorities with understanding and implementing these regulations. The International Association of Campus Law Enforcement Administrators (IACLEA) could provide consultants, supported by federal funds to assist with this effort. The Gannett Foundation that supports media organizations and efforts to support campus media could give its support to efforts in improving campus safety through grants.

While the awareness of campus crime, which is one of the purposes of the Clery Act has most likely been achieved, several other of the avowed purposes of the Act have not been. Decreases in campus crime, where they have occurred, are not perceived to be the

result of the Act. Improvements in the quality of campus police policies and procedures have not been perceived to be occurring, and changes in student behavior are more affected by campus programs and publications than by the crime reports themselves. While the Clery Act is a positive piece of federal legislation, changes in its focus and enforcement, financial and other support for campus police agencies, recognition of programs that have made a difference on campus safety, and additional research on the Act's impact would improve its effectiveness.

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